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Written statement* submitted by Americans for Democracy & Human Rights in Bahrain Inc, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Complete Closure of Independent Political Space Ahead of Bahrain's 2018 Elections

Over the last seven years, the Government of Bahrain heavily circumscribed basic public freedoms, virtually closing the space for independent political activity. While Bahrain is technically a constitutional monarchy, near-absolute political power is concentrated in the Al Khalifa ruling family, and royals hold almost all key posts. The parliament, known as the National Assembly, is deeply hamstrung and lacks the authority to serve as an effective check on the royal family. All members of the upper house of the National Assembly are appointed by the king, and the government has engaged in a host of electoral abuses – including gerrymandering, voter fraud, and the outright dissolution of political opposition groups – to ensure that the elected lower house is not representative. Ahead of the next vote expected in fall 2018, the government has taken new steps to explicitly prohibit any form of opposition participation.

Elimination of the Opposition

In 2001, just after Bahrain's current king assumed the throne, the population voted overwhelmingly to approve a democratic reform plan known as the National Action Charter. Within a year, however, the king abrogated the agreement and unilaterally issued a new constitution that diverged from the Charter and consolidated the royal family's power. The government gradually instituted new restrictions on all fundamental freedoms, including expression, assembly, association, press, and religion. Formal political parties were banned, and their nominal counterparts – known as political "societies" – made subject to extensive legal constraints.

On the 10th anniversary of the National Action Charter in 2011, nearly half Bahrain's population took part in demonstrations calling on the government to meet its reform commitments and guarantee basic human rights. Security forces violently suppressed the protest movement and the authorities targeted Bahrain's chief opposition societies – Wa'ad, Al-Wefaq, and Amal – for particularly extreme reprisal. During the initial crackdown and its aftermath in 2012, the government temporarily closed Wa'ad and imprisoned its secretary-general; arrested and tortured Al-Wefaq members of parliament; and arbitrarily disbanded Amal, detaining hundreds of members and incarcerating its leader. Some political figures also faced attacks by pro-government gangs, and Wa'ad's headquarters was twice set ablaze. Bahrain's crown prince launched a National Dialogue process with the opposition, but government harassment continued, with other Al-Wefaq leaders arrested for criticizing the government in 2013.

As the National Dialogue collapsed the following year, the government took further steps to punish and dismantle the opposition. During the run-up to that year's elections for the National Assembly's lower house, the Ministry of Justice requested that the courts temporarily suspend Al-Wefaq and Wa'ad; both societies ultimately boycotted the elections, citing widespread government interference. Earlier, in September 2014, security forces detained and tortured Khalil al-Halwachi, a scholar and activist, over his former membership in Amal, ultimately sentencing him to 10 years. In December 2014, authorities arrested Al-Wefaq's leader Sheikh Ali Salman on charges related solely to his political speeches, issuing him a four-year prison term. In 2015, the government released and then immediately rearrested Wa'ad's leader, Ebrahim Sharif, sentencing him to another year in prison on charges related to a political speech. After an Al-Wefaq leader discussed Bahrain's political crisis on a new television channel that same year, the authorities shut the entire media outlet down. Fadhel Abbas, the leader of the smaller Al-Wahdawi opposition society, was arrested for tweets criticizing the Saudi-led intervention in Yemen and ultimately sentenced to three years in prison.

In recent years, the government has effectively eliminated what remained of the formal opposition. The authorities outright dissolved Al-Wefaq in July 2016, with courts rejecting all its subsequent appeals in 2017 and 2018. Security officials shut down the society's website, closed its headquarters, and seized its assets. Less than a year later, in May 2017, the authorities took almost identical measures against Wa'ad, closing the group over unfounded allegations of "incitement of acts of terrorism and promoting violent and forceful overthrow of the [government]" after the society criticized the closure of Al-Wefaq and issued a statement describing Bahrain as experiencing a "constitutional political crisis." The High Court of Appeals confirmed the ruling in October 2017, leaving the small Al-Wahdawi society as the only legal opposition group still operating in Bahrain.

Despite the near total destruction of the formal opposition, Bahraini authorities have continued to arrest and harass other members of these groups, as well as unlicensed political organizations, ahead of the 2018 lower house elections set for fall 2018. Political leaders like Ebrahim Sharif, Farida Ghulam, and Radhi al-Musawi of Wa'ad have faced regular travel bans preventing them and dozens of others from traveling outside Bahrain to attend the Human Rights Council and the Universal Periodic Review, violating their right to freedom of movement. Others have been forced into exile and punitively stripped of their Bahraini citizenship.

In November 2017, the authorities brought baseless new charges against Sheikh Ali Salman and two exiled Al-Wefaq members of parliament, Ali al-Aswad and Sheikh Hassan Sultan, linked to Bahrain's ongoing diplomatic row with Qatar. While the UN Working Group on Arbitrary Detention has determined that Sheikh Ali Salman is arbitrarily detained and multiple Special Procedures mandate holders have urged his release, Bahrain's Public Prosecution has now called for the "maximum penalty" against him, which for these new charges is capital punishment. The verdict is expected on 21 June 2018.

Most recently, the authorities have increased pressure on Al-Wahdawi, the last remaining opposition group, with security forces repeatedly interrogating the society's current secretary-general, Hasan al-Marzooq, over "inciting protests" on social media in February and March 2018.

Abusive Electoral Practices and Legal Restrictions

Amid this direct assault on the opposition, the Bahraini government has taken additional steps to undermine popular representation in the lower house of parliament and control the outcomes of elections. Years of gerrymandering have ensured that the lower house does not proportionately represent Bahrain's population, with a significant majority of members representing only a small minority of the electorate. Bahraini authorities have specifically redistricted to dilute the influence of the Shia Muslim majority, amplify that of government supporters, and prevent opposition groups like Al-Wefaq from securing a larger proportion of ballots. In 2010, for example, the average Shia-majority district contained 9,533 constituents compared with just 6,186 for the average Sunni-majority district. Academics have found that sectarian redistricting has also largely hurt secular candidates, like those fielded by Wa'ad. In other cases, the government has completely eliminated municipalities against the will of the district's leadership, such as in 2014, when the king unilaterally abolished an entire governorate.

There is also evidence that the authorities have granted dual citizenship to Saudi nationals, and expedited citizenship for foreign Sunnis employed in the security forces, in order to further alter the country's demographics and influence voting patterns. In 2002, the government reportedly transported thousands of members of Saudi Arabia's al-Dawasir tribe across the causeway into Bahrain to vote in that year's parliamentary election. Since then, the government has established more polling stations located along the border and in other remote areas, many of which are not even connected to specific districts, increasing the opportunity for manipulation or interference. Though Bahrain has invited some international election observers in the past, these are typically not independent delegations, and they have not been able to monitor these isolated polling stations.

In May 2016, the government additionally amended the Law on Political Societies to specifically prohibit religious figures from participating in political groups and discussing politics during sermons, among other restrictions. As yet, it appears the authorities have exclusively used the law to target Shia activists and predominantly-Shia political societies, like Al-Wefaq – though both Sunni and Shia political groups count clerics among their members.

Furthermore, beginning in 2018, local media has reported that the National Assembly is moving to implement a new amendment to the 2002 Law on Political Rights banning all members of the dissolved political societies, or any former member of parliament who resigned, from ever again running for election to the lower house parliament. If it is eventually promulgated, the amendment could permanently prevent any former member of Al-Wefaq, Wa'ad, or Amal – which translates to thousands of Bahrainis – from participating in the country's political system. Coupled with other attacks on Bahrain's opposition, this measure amounts to a complete closure of independent political space ahead of the 2018 elections.

Conclusion and Recommendations

Bahrain has wholly abandoned its democratic reform commitments and banned political opposition. With the next set of elections fast approaching, there is no space for real participation and the government will effectively dictate the results. We therefore call on the international community to urge the Bahraini government to:

- Release all prisoners of conscience, including political leaders like Sheikh Ali Salman;
- Reinstate arbitrarily dissolved political societies like Al-Wefaq and Wa'ad and allow opposition groups to operate freely;
- Block or repeal the new amendment to the 2002 Law on Political Rights;
- End abusive practices like discriminatory gerrymandering and political denaturalization; and
- Guarantee that independent civil society organizations and international observers are able to monitor the electoral process without fear of reprisal.